

## REMARKS

The present Response is to the Office Action mailed 08/24/2009, made final. Claims 1-45 are presented for examination.

### Claim Objections

2. Claims 2-15 are objected to because of the following informalities: Each of these claims begins with the phrase "The agent capability application of claim". Claim 1 has been amended such that it is now directed towards "A computer readable medium". It is recommended that claims 2-15 be amended such that are consistent with the amended language of claim 1 and such that they each begin with the phrase "A computer readable medium of claim".

Appropriate correction is required.

### Applicant's response:

Applicant herein amends claim 1 to recite; "An agent capability application included in a computer readable medium~~including an agent capability application~~ executing on a computer platform for monitoring target agent resources and rendering capability information to routing applications, comprising:" Applicant points out that claim 1, as amended, is now directed to an agent capability application and the above rejection should be overcome by said amendment.

### Claim Rejections - 35 USC § 112

3. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, line 4 of this claim contains the limitation "a first portion". Since claim 1 has been amended to state "A computer readable medium including an agent capability application", it is unclear whether the "a first portion" refers to a portion

of the "computer readable medium" or a portion of the "agent capability application". It is recommended that claim 1 be amended to state "a first portion of the agent capability application", such that it is clear that the portion is a portion of the application.

Also regarding claim 1, line 6 of this claim contains the limitation "a second portion". This limitation is unclear for the same reasons as outlined for the limitation "a first portion" above. It is recommended that claim 1 be amended to state "a second portion of the agent capability application", such that it is clear that the portion is a portion of the application.

Claims 2-15 are rejected since they each depend on rejected base claim 1.

**Applicant's response:**

Applicant herein amends claim 1 to recite; "An agent capability application included in a computer readable medium. Therefore the first portion and second portion should be clearly understood as portions of the claimed agent capability application.

**Claim Rejections - 35 USC § 103**

5. Claims 1, 2, 16, 17, 31, and 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Draginich et al. (U.S. Patent 6,560,329 81) in view of Mears et al. (U.S. Patent 7,092,50981) and in further view of Doyle et al. (U.S. Patent 6,424,70981)

**With respect to claim 1**, Draginich et al. discloses an agent capability application (See the abstract of Draginich et al. for reference to an automatic call distribution system containing and application to receive agent status and route calls to selected agents based on agent status). Draginich et al. also discloses monitoring target resources and rendering capability information to routing applications (See column 6 lines 59-64 and Figure 4 of Draginich et al. for reference to monitoring agent status information and sending the status information, capability information, to a routing controller when an agent station changes state). Draginich et al. further discloses a first portion

for collecting data regarding capability of the target agent resources (**See column 4 lines 36-45, column 6 lines 59- 64 and Figures 1 and 4 of Draginich et al., for reference to agent stations 11-14 sending status information to a routing controller 20 meaning that there is a first program portion to monitor for a change in agent station status, or collect capability data, and send this information to the routing controller 20**).

Draginich et al. also discloses a second portion for integrating the data and rendering the capability information to the routing application and using a portion of the integrated capability information for routing calls to the best destination (**See column 4 lines 46-54 and Figure 1 of Draginich et al. for reference to analyzing, or integrating, the agent status data and rendering this analyzed data to be used in routing calls to a best selected agent**). Although Draginich et al. discloses collecting and rendering capability data, Draginich et al. does not disclose that capability information includes application, program, and protocol capability data. Draginich et al. also does not specifically disclose monitoring by periodic polling.

**With respect to claim 16**, Draginich et al. discloses an agent proxy system operable in at least one communication center (**See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to a routing controller 20, which performs the function of an agent proxy system, in an automated call distribution system 10**). Draginich et al. also discloses agent resources enabling agents to process communication events (**See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to agent stations 11-14 each having an interactive communication unit**). Draginich et al. further discloses one or more routing applications subscribing to the one or more of the agent proxy servers (**See column 4 lines 36-54 and Figure 1 of Draginich et al. for reference to the routing controller 20 having an application to route calls based on call data and agent status data**). Draginich et al. also discloses a communications network connecting the agent resources the applications and the one or more agent proxy servers (**See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to data links 24 that connect the agent stations 11-14 and the routing controller 20**). Draginich et al. further discloses a capability application for monitoring capabilities of the agent resources for rendering capability information to the subscribing routing

applications (See the abstract, column 6 lines 59-64 and Figure 4 of Draginich et al. for reference to monitoring agent status information and sending the status information, capability information, to a routing controller when an agent station changes state). Draginich et al. also discloses a first portion for collecting information regarding capabilities of the target agent resources (See column 4 lines 36-45, column 6 lines 59-64 and Figures 1 and 4 of Draginich et al. for reference to agent stations 11-14 sending status information to a routing controller 20 meaning that there is a first program portion to monitor for a change in agent station status, or collect capability information, and send this information to the routing controller 20). Draginich et al. further discloses a second portion for integrating the information and rendering the capability information to the subscribing routing application (See column 4 lines 46-54 and Figure 1 of Draginich et al. for reference to analyzing, or integrating, the agent status data and rendering this analyzed data to be used in routing calls). Although Draginich et al. discloses monitoring and rendering capability data, Draginich et al. does not disclose that capability information includes application, program, and protocol capability data

With respect to claim 31, Draginich et al. discloses a communication center system (See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to an automated call distribution system 10). Draginich et al. also discloses a method for providing agent resource capabilities to subscribing routing applications (See column 4 lines 36-54, column 6 lines 59-64, and Figures 1 and 4 of Draginich et al. for reference to providing agent station status data to a routing controller that contains a program for routing calls). Draginich et al. further discloses monitoring capabilities of individual agent resources by a first portion of a resource capability application (See column 4 lines 36-45, column 6 lines 59-64 and Figures 1 and 4 of Draginich et al. for reference to agent stations 11-14 sending status information to a routing controller 20 meaning that there is a first program portion to monitor for a change in agent station status, or collect capability information, and send this information to the routing controller 20). Draginich et al. also discloses integrating data from the first program portion and rendering agent resource capabilities to the subscribing routing

applications by a second portion of the agent resource capability application and routing calls to the best destination using a portion of the integrated agent resource capabilities **(See column 4 lines 46-54 and Figure 1 of Draginich et al. for reference to analyzing, or integrating, the agent status data and rendering this analyzed data to be used in routing calls to a best selected agent)**. Although Draginich et al. discloses monitoring and rendering capability data, Draginich et al. does not disclose that capability information includes application, program, and protocol capability data

**With respect to claims 1, 16, and 31**, Mears et al., in the field of communications, discloses collecting and rendering application, program, and protocol capability data of target agents for use in routing applications **(See column 14 line 36 to column 15 line 26 and Figure 8 of Mears et al. for reference to a collecting and rendering agent media skill assignment information corresponding to media types that an agent is capable of handle, i.e. email, voice, WBB, etc., which each inherently include the use of different applications, programs, and protocols)**. Collecting and rendering application, program, and protocol capability data of target agents for use in routing applications has the advantage of allowing customer sessions using different media types to be efficiently routed to agents, which have the capability to receive a session of the appropriate media type.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Mears et al., to combine collecting and rendering application, program, and protocol capability data of target agents for use in routing applications, as suggested by Mears et al., with the system and method of Draginich et al., with the motivation being to allow customer sessions using different media types to be efficiently routed to agents, which have the capability to receive a session of appropriate the media type.

**With respect to claims 1, 16, and 31**, Doyle et al., in the field of communications, discloses monitoring agent capability by periodic polling **(See column 2 lines 30-39 of Doyle et al. for reference to periodically checking the status of agents)**. Monitoring agent capability by periodic polling has the advantage of allowing a routing module to periodically obtain up to date agent statuses only when needed without

requiring agents to constantly report changing statuses, thus reducing the amount of required messaging between agents and the routing module.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Doyle et al., to combine monitoring agent capability by periodic polling, as suggested by Doyle et al., with the system and method of Draginich et al. and Mears et al., with the motivation being to reduce the amount of required messaging between agents and a routing module.

**With respect to claims 2, 17, and 32**, Draginich et al. discloses that the target agent resources comprise one or more individual agent stations in at least one communication center with the agent stations equipped with one or more communication devices **(See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to the automated call distribution system 10, a call center, having several agent stations 11-14 with each station having an interactive communication unit).**

### **Allowable Subject Matter**

6. Claims 3-15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. Claims 18-30 and 33-45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: Claims 3, 18, and 33 would be allowable since none of the prior art of record discloses or renders obvious multiple copies of a first portion of an application executing on platforms monitoring individual ones of agent station equipped communication

devices, as claimed. Claims 4-15, 19-30, and 34-45 would be allowable since they each depend on one of claims 3, 18, and 33.

**Applicant's response:**

Applicant herein amends the claims to take advantage of the indicated allowability of claims 3-15, 18-30 and 33-45. Independent claims 1, 16 and 31 are herein amended to include limitations, indicated as allowable, of claims 2-3, 17-18 and 32-33, respectively. Applicant also amended claim 1 to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action. Claims 2-3, 17-18 and 32 are herein canceled.

**Summary**

As all of the claims, as amended, have been shown to be patentable over the art presented by the Examiner, applicant respectfully requests reconsideration and the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,  
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